

Attorney's Docket No.: 07043-060002  
Client's Ref. No.: B97-065-2

**OFFICIAL COMMUNICATION****FACSIMILE****FOR THE PERSONAL ATTENTION OF:****EXAMINER ANH T. MAI****U.S. PATENT AND TRADEMARK OFFICE (PATENT)****FAX RECEIVED****GROUP 2814 FAX NO:**

AUG 14 2003

**Number of pages including this page**

TECHNOLOGY CENTER 2800

Applicant : Timothy J. Brosnihan et al  
Serial No. : 09/342,348  
Filed : June 29, 1999

Title : METHOD OF FABRICATING A MICROSTRUCTURE WITH HIGH ASPECT RATIO DEVICE WITH ELECTRIC

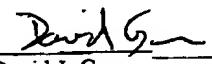
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a Response to Incomplete Response and Substitute page (5) of original Response of May 7, 2003, faxed this 14<sup>th</sup> day of August, 2003, to Group 2814, the United States Patent and Trademark Office.

Respectfully submitted,

Date: August 14, 2003

  
\_\_\_\_\_  
David J. Goren  
Reg. No. 34,609

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Fax: (650) 839-5071  
50168892.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (650) 839-5070 to arrange for its return. Thank you.

Attorney's Docket No.: 07043-060002 / B97-065-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Timothy J. Broshnihan et al. Art Unit : 2814  
Serial No. : 09/342,348 Examiner : Anh T. Mai  
Filed : June 29, 1999  
Title : METHOD OF FABRICATING A MICROFABRICATED HIGH ASPECT RATIO  
DEVICE WITH ELECTRICAL ISOLATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

10/20 Supp. Response  
M. Braunstein  
8/15/03

RESPONSE TO NOTICE OF INCOMPLETE RESPONSE

In the telephone conference of August 11, 2003, the Examiner indicated that the Reply filed on May 7, 2003 was incomplete for failing to include a signature at the end of the document. Without agreeing that Reply was incomplete, Applicant respectfully submits a substitute page with signature.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 8/13/03

David G  
\_\_\_\_\_  
David J. Goren  
Reg. No. 34,609

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

FAX RECEIVED

AUG 14 2003

TECHNOLOGY CENTER 2800

50168820.doc

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

August 14, 2003  
\_\_\_\_\_  
Date of Transmission  
  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Nikia M. McNillion  
Typed or Printed Name of Person Signing Certificate

Applicant : Timothy J. Brosnihan et al  
Serial No. : 09/342,348  
Filed : June 29, 1999  
Page : 5 of 5

Attorney's Docket No.: 07043-060002 / B97-065-2

substrate 102. Col. 5, lines 26-29. In another step, the polysilicon 122 filling the trenches 120 on each side of the central silicon region is removed, and the buried oxide layer is etched to define movable electrode 142 and fixed electrode 144 (see col. 6, lns. 45-48; col. 6, ln. 59 to col. 7, ln. 5).

The resultant structure, as shown in Fig. 10 of Bashir, provides that elements 142 and 144 are actually one in the same element. (The same unbroken polygon with the same shading.) Thus, these elements are electrically connected to each other.

Hunter does not provide what Bashir lacks. Hunter discloses forming a sidewall oxide on the sidewalls of a trench (see col. 2, lns. 48-49). However, Hunter does not disclose using the isolation trench to electrically isolate elements of a microstructure from each other.

Since neither Bashir nor Hunter discloses using the first trench to electrically isolate elements of a microstructure from each other, the combination of the Bashir and Hunter cannot render claim 1 obvious.

In view of the foregoing, it is submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicant's undersigned attorney at (650) 839-5070.

Respectfully submitted,

Date:

8/13/03

  
David J. Goren  
Reg. No. 34,609

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

FAX RECEIVED

AUG 14 2003

TECHNOLOGY CENTER 2800